Lawrence R. Ream, WSBA #18159 Hon. Philip H. Brandt Richard G. Birinyi, WSBA #9212 Chapter: 11 Bullivant Houser Bailey PC Location: Seattle 1601 Fifth Avenue, Suite 2300 Hearing Date: January 13, 2005 Seattle, WA 98101-1618 Hearing Time: 9:30 a.m. Telephone: (206) 292-8930 Response Date: January 7, 2005 Facsimile: (206) 386-5130 5 Attorneys for Debtor 6 7 8 UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF WASHINGTON 9 AT SEATTLE In re: No.: 03-22581 10 ONENAME CORPORATION, 11 DEBTOR'S MOTION FOR AUTHORIZATION TO EXTEND THE 12 Debtor. FINAL BORROWING ORDER AND APPROVE BUDGET 13 14 Debtor respectfully moves for authorization to extend for three (3) months the final borrowing order previously entered by the Court on November 10, 2003, to authorize 16 additional post-petition borrowing from various lenders in accordance with the three month 17 Budget attached to the Declaration of Lon Wiese. The borrowing would be made pursuant to 18 the provisions of one or more post-petition promissory notes and on the terms and conditions 19 approved in the Final Borrowing Order. This Motion is based on the Declaration of Lon 20 Wiese and the memorandum of points and authorities in support of Debtor's motion. 21 1. Case Commencement. On September 30, 2003, the Debtor commenced this 22 case by filing a voluntary petition under chapter 11 of title 11, United States Code. 23 2. Jurisdiction. Jurisdiction over the Motion arises under 28 U.S.C. §§ 1334 and 157. The Motion is a core proceeding under 28 U.S.C. § 157(b)(2)(A) and (M). 25 3. Venue. Venue of this case and the contested matter initiated by the Motion in

the Western District of Washington are appropriate under 28 U.S.C. § 1408.

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1	4. <u>Request to Authorize Borrowing</u> . In the Motion, Debtor moves for
2	authorization under 11 U.S.C. § 364(b) and (c) and Federal Rule of Bankruptcy Procedure
3	Rule ("Rule") 4001(c) to extend the borrowing order for the three (3) months and approve
4	the new budget on the same terms and conditions as approved in the Final Borrowing Order.
5	A budget showing the proposed uses of the amounts requested for the new budget is attached
6	to the Declaration of Lon Wiese as Exhibit A. ¹
7	5. The Debtor's Proposed Plan of Reorganization has been approved by all
8	creditor and equity classes and the only remaining issue is the Debtor's Tax motion currently
9	set for hearing on January 26, 2005.
10	6. The additional borrowing is necessary to cover the Debtor's operations for
11	December through February while the Debtor completes the Tax Motion and Confirmation
12	of its Consensual Plan of Reorganization. A copy of the Debtor's Notice of Hearing on the
13	Motion to Extend the Final Borrowing Order and Approve Budget is attached hereto as
14	Exhibit A.
15	7. The terms of the borrowing order are the same as all previous orders.
16	WHEREFORE, the Debtor respectfully moves the court to extend the final borrowing
17	order and approve the new three month budget of the Debtor.
18	DATED this 23 rd day of December, 2004.
19	BULLIVANT HOUSER BAILEY PC
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21	By /s/ Lawrence R. Ream Lawrence R. Ream, WSBA #18159
22	Richard G. Birinyi, WSBA #9212
23	Attorneys for Debtor
24	3427998.1
25	The Budget includes accruals for professional fees which will only be paid as authorized by
26	the Order Establishing Procedures for Interim Payment of Fees and Costs of Professionals entered by the Court on April 2, 2004 or pursuant to fee applications upon notice to creditors.